IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7711 of 2007()

CMP.7322/2007 of J.M.F.C.,VADAKKANCHERRY
Cr.NO.74/07 OF WADAKKANCHERY EXCISE RANGE

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: PETITIONER/ACCUSED

RAJAN, S/O.VELUKKUTTY, KANDARATH HOUSE,
ODUMKUNNU DESOM, KADANGODU VILLAGE,
THALAPPILLY TALUK.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTING EXCISE INSPECTOR,
WADAKKANCHERY EXCISE RANGE,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7711 of 2007

Dated this the 14th day of December, 2007

ORDER

Application for regular bail. Petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of one litre of arrack on 28.11.2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has one other case also under the Kerala Abkari Act already registered against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given time till 19.12.07 to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 19.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-